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Counsel for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND,
LLC,

Debtor.

In re:
USA SECURITIES, LLC,

Debtor.

Affects:
☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

JOINTLY ADMINISTERED
Chapter 11 Cases

Judge Linda B. Riegle Presiding

**NOTICE OF FILING PROOF OF
SERVICE OF SUBPOENA FOR
RULE 2004 EXAMINATION**

NOTICE IS GIVEN that the USACM Liquidating Trust herewith files the:

**Proof of Service of Subpoena for Rule 2004 Examination
on Capitol Corporate Services, Inc., Registered Agent for
St. Charles Townhomes Partners, LP (Exhibit A
Attached).**

1 DATED: September 11, 2007

2 **DIAMOND MCCARTHY LLP**

LEWIS AND ROCA LLP

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4
5 By: /s/ Eric D. Madden
6 Allan B. Diamond, TX 05801800 (pro hac vice)
7 William T. Reid, IV, TX 00788817 (pro hac vice)
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10 *Special Litigation Counsel for*
11 *USACM Liquidating Trust*

Counsel for USACM Liquidating Trust

CAUSE NO. BKS0610725LBR

IN RE: USA COMMERCIAL MORTGAGE
COMPANY, ET AL.

VS.

IN THE U.S. FEDERAL COURT
(BANKRUPTCY) United States Bankruptcy
Court

OF

HARRIS COUNTY, TX

AFFIDAVIT OF SERVICE

BEFORE ME, the undersigned authority, on this day appeared, **BARBARA STINNETT**, personally before me and stated under oath as follows:

My name is **BARBARA STINNETT**. I am over the age of eighteen (18), I am not a party to this case, and have no interest in its outcome. I am an authorized private process server licensed by and through the Supreme Court of Texas, am in all ways competent to make this affidavit, and this affidavit is based on personal knowledge. The facts stated herein are true and correct.

ON Tuesday, August 28, 2007 AT 12:00 PM - FEDERAL SUBPOENA FOR RULE 2004 EXAMINATION CAME TO HAND.

ON Wednesday, August 29, 2007 AT 02:09 PM - THE ABOVE NAMED DOCUMENTS WERE DELIVERED TO: ST. CHARLES PARTNERS TOWNHOMES, LP, C/O CAPITOL CORPORATE SERVICES, INC., 800 BRAZOS, SUITE 400, AUSTIN, TX, 78701 BY PERSONAL SERVICE.

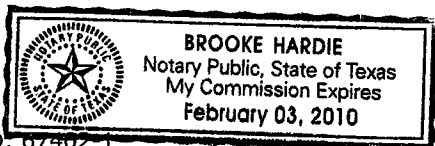
FURTHER AFFIANT SAYETH NOT.

Barbara C Stinnett

Signature

Before me personally appeared the above-named affiant, who, being first duly sworn, stated upon oath that the above-stated facts are true and correct and within his or her personal knowledge, and subscribed the same on this 30 day of August, 2007.

Brooke Hardie



Notary Public for the State of Texas

DocID: 674021

United States Bankruptcy Court

NORTHERN DISTRICT OF TEXAS

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

DEBTORS.

AFFECTS: ALL DEBTORS

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

JOINTLY ADMINISTERED UNDER
 CASE No. BK-S-06-10725-LBR
 IN THE DISTRICT OF NEVADA

TO: St. Charles Townhomes Partners, LP
 By and through its registered agent:
 Capitol Corporate Services, Inc.
 800 Brazos, Suite 400
 Austin, TX 75233


X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DIAMOND MCCARTHY, LLP 1201 ELM STREET, SUITE 3400 DALLAS, TEXAS 75270	September 21, 2007 1:30 P.M. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
DIAMOND MCCARTHY, LLP 1201 ELM STREET, SUITE 3400 DALLAS, TEXAS 75270	September 7, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE
 Special Litigation Counsel for the USACM Liquidating Trust	August 24, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
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